PATENT

Appl. No. 09/944,163 Amdt. dated March 15, 2004 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-4 (canceled).

Claim 5 (currently amended): A method for inhibiting dissemination of CMV in a human, comprising administering to the human an effective amount of a small organic compound having a molecular weight of less than 800 daltons and which blocks or inhibits_the binding of a chemokine to a US28 receptor or a US28 receptor fragment and wherein said administering slows the progression of CMV viral dissemination in the human and wherein the compound has the formula:

$$X^{2}$$
 X^{1}
 X^{2}
 X^{4}
 X^{4}
 X^{2}
 X^{4}
 X^{4

wherein

 X^1 , X^2 , X^3 and X^4 are each independently members selected from the group consisting of N and C-R¹, wherein R¹ is a member selected from the group consisting of H, halogen, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) haloalkyl, (C_1-C_4) haloalkoxy, nitro, cyano, (C_1-C_4) acyl, amino, (C_1-C_4) alkylamino, and di(C_1-C_4)alkylamino;

 Y^1 , Y^2 , Y^3 and Y^4 are each independently members selected from the group consisting of N and C-R², wherein R² is a member selected from the group consisting of H, halogen, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) haloalkyl, (C_1-C_4) alkoxy, (C_1-C_4) haloalkyl, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) haloalkyl, (C_1-C_4) alkoxy, (C_1-C_4) haloalkyl, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) haloalkyl, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) alkoxy, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) alkyl, (C_1-C_4)

Appl. No. 09/944,163 Amdt. dated March 15, 2004 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group

 $\underline{C_4}$)haloalkoxy, nitro, cyano, $(\underline{C_1}-\underline{C_4})$ acyl, amino, $(\underline{C_1}-\underline{C_4})$ alkylamino, and di $(\underline{C_1}-\underline{C_4})$ alkylamino;

 Z^1 is a divalent moiety selected from the group consisting of (C_1 - C_3)alkylene;

 Z^2 is a divalent moiety selected from the group consisting of -O-, -S- and $-N(R^3)$ - wherein R^3 is a member selected from the group consisting of H, halogen, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) haloalkyl, (C_1-C_4) haloalkoxy, nitro, cyano, (C_1-C_4) acyl, amino, (C_1-C_4) alkylamino, and di (C_1-C_4) alkylamino; and

N^{Het} is a substituted or unsubstituted 4-, 5-, 6-, or 7-membered nitrogen heterocycle.

Claims 6 -7 (canceled).

Claim 8 (currently amended): A method in accordance with claim 5 [[7]], wherein X^1 , X^3 , X^4 , Y^1 , Y^2 , Y^3 and Y^4 are all CH; Z^2 is -S-, and N^{Het} is a substituted 6-membered nitrogen heterocycle.

Claim 9 (original): A method in accordance with claim 5, wherein said compound has the formula:

$$(R^1)_m$$
 $(R^2)_n$

wherein

the subscripts m and n are independently integers of from 0 to 3;

 R^1 and R^2 are substituents independently selected from the group consisting of halogen, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) alkylthio, (C_1-C_4) haloalkyl, (C_1-C_4) haloalkoxy, nitro, cyano, (C_1-C_4) acyl, amino, (C_1-C_4) alkylamino, and di (C_1-C_4) alkylamino; and

Appl. No. 09/944,163 Amdt. dated March 15, 2004 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group

 R^3 is a substituent selected from the group consisting of (C_1-C_4) alkyl, (C_1-C_4) haloalkyl and (C_1-C_4) acyl.

Claim 10 (original): A method in accordance with claim 9, wherein m is 0 and n is 1.

Claim 11 (original): A method in accordance with claim 9, wherein m is 0, n is 1 and R^2 is selected from the group consisting of halogen, (C_1-C_4) alkyl, (C_1-C_4) alkoxy, (C_1-C_4) alkylthio and (C_1-C_4) haloalkyl.

Claim 12 (original): A method in accordance with claim 9, wherein m is 0, n is 1 and R^2 is selected from the group consisting of halogen and (C_1-C_4) alkylthio.

Claim 13 (original): A method in accordance with claim 5, wherein said compound is selected from the group consisting of methothepin, octoclothepin and pharmaceutically acceptable salts thereof.

Claims 14 -28 (canceled).

Claim 29 (currently amended): A method for treating CMV infection in a human, comprising administering to the human an effective amount of a US 28 receptor modulator capable of blocking or inhibiting the binding of a chemokine to the US28 receptor [[,]] wherein said modulator is a small organic compound having a molecular weight of less than 800 daltons and said administering slows the progression of CMV dissemination in the human and wherein said compound has the formula:

$$(R^{1})_{m}$$

$$(R^{2})_{n}$$

wherein

Appl. No. 09/944,163 Amdt. dated March 15, 2004 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group

the subscripts m and n are independently integers of from 0 to 3;

 R^1 and R^2 are substituents independently selected from the group consisting of halogen, (C_1-C_4) alkyl, (C_1-C_4) alkyl, (C_1-C_4) alkyl, (C_1-C_4) alkyl, (C_1-C_4) alkyl, (C_1-C_4) alkylamino, (C_1-C_4) alkylamino, and di (C_1-C_4) alkylamino; and

R³ is a substituent selected from the group consisting of (C_1-C_4) alkyl, (C_1-C_4) haloalkyl and (C_1-C_4) acyl.

Claim 30 (canceled).

Claim 31 (previously presented): A method in accordance with claim 29, wherein m is 0 and n is 1.

Claim 32 (currently amended): A method in accordance with claim $\underline{29}$ [[30]], wherein m is 0, n is 1 and \mathbb{R}^2 is selected from the group consisting of halogen, (C_1-C_4) alkyl, (C_1-C_4) alkylthio and (C_1-C_4) haloalkyl.

Claim 33 (previously presented): A method in accordance with claim 32, wherein m is 0, n is 1 and R^2 is selected from the group consisting of halogen and (C_1-C_4) alkylthio.

Claim 34 (previously presented): A method in accordance with claim 29, wherein said compound is selected from the group consisting of methiothepin, octoclothepin and pharmaceutically acceptable salts thereof.

Claim 35 (previously presented): A method in accordance with claim 29, wherein the molecular weight is between 300 and 600 daltons.

Claim 36 (previously presented): A method in accordance with claim 5, wherein the molecular weight is between 300 and 600 daltons.